

REMARKS

I. Summary of the Office Action

Claims 1, 2, 4-18, 35, 36, and 38-48 are pending in this application.

Claims 1, 4-6, 12-18, 35, 38, and 45-48 are rejected under 35 U.S.C. § 102(e) as being anticipated by Arai et al. U.S. Patent No. 6,486,920 (hereinafter "Arai").

Claims 1, 2, 4-18, 35, 36, and 38-48 are rejected under 35 U.S.C. § 103(a) as being obvious from Young et al. U.S. Patent No. 5,353,121 (hereinafter "Young") in view of Zigmond et al. U.S. Patent No. 6,698,020 (hereinafter "Zigmond").

II. Summary of Applicants' Reply

Claims 4, 5, 38, and 39 have been canceled without prejudice. Independent claims 1 and 35 have been amended to more particularly define the claimed invention. Support for amended claims 1 and 35 can be found at, for example, page 7, lines 1-11 of applicant's specification.* FIGS. 6-8 illustrate that promotions may be recorded at different points of the recording of the television program (e.g., at the beginning, middle, or end of the recorded program).

* The recitation of support for independent claims 1 and 35 is not intended to be exclusive. There may be support found elsewhere in the specification.

The Examiner's rejections are respectfully traversed.

II. Applicants' Reply to the § 102 Rejection

Claims 1, 4-6, 12-18, 35, 38, and 45-48 are rejected under 35 U.S.C. § 102(e) as being anticipated by Arai. This rejection is respectfully traversed.

Applicants have canceled claims 4, 5, and 38 without prejudice. Accordingly, the anticipation rejection of claims 4, 5, and 38 is moot and should therefore be withdrawn.

Applicants' invention, as defined by amended independent claims 1 and 35, is directed towards a method and a system, respectively, for recording television programs and promotions. A television program and at least one promotion are selected to be recorded. The selected television program is recorded and the selected promotion is recorded at a predetermined point of the recording. The portion of the television program after the predetermined point is buffered in a buffer and the portion of the television program after the predetermined point is recorded from the buffer.

Arai discusses a receiving apparatus, which receives program information and commercial positioning information, which may be used in connection with recording

programs. When a user selects a program for recording, the user may also select whether or not to record commercials.

Applicants submit that Arai fails to show or suggest buffering a portion of the television program after a predetermined point in a buffer and recording the portion of the television program after the predetermined point from the buffer, as specified in amended independent claims 1 and 35. As indicated by the Examiner, Arai discusses selectively recording television programs with or without broadcast commercials. However, Arai does not discuss any form of buffering in connection with the recording of television programs with broadcast commercials.

For at least this reason, amended independent claims 1 and 35 and dependent claims 1, 6, 12-18, 35, and 45-48 are allowable over Arai. Therefore, this rejection should be withdrawn.

III. Applicants' Reply to the § 103 Rejection

Claims 1, 2, 4-18, 35, 36, and 38-48 are rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Zigmond.

Applicants have canceled claims 4, 5, 38, and 39 without prejudice. Accordingly, the obviousness rejection of claims 4, 5, 38, and 39 is moot and should be withdrawn.

Young discusses, among other things, a television schedule system that allows users to select a program for recording.

Zigmond discusses inserting advertisements into a video programming feed at the household level.

Applicants submit that Young and Zigmond, either taken alone or in combination, fail to show or suggest buffering a portion of the television program after a predetermined point in a buffer and recording the portion of the television program after the predetermined point from the buffer, as specified by amended independent claims 1 and 35. In particular, applicants do not find a disclosure in Young of buffering television programs or recording television programs from a buffer. In addition, Zigmond does not teach or suggest buffering television programs or recording television programs from a buffer.

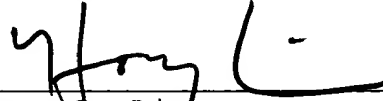
For at least this reason, amended independent claims 1 and 35 and dependent claims 2, 6-18, 36, and 40-40, which depend from either amended independent claim 1 or 35, are not obvious from Young in view of Zigmond. This rejection should therefore be withdrawn.

IV. Conclusion

In view of the foregoing, claims 1, 2, 6-18, 35, 36, and 40-48 are allowable. This application is therefore

in condition for allowance. Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



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